

# Commercial Black Sea Bass Fishery; Summary of Regulations:



*The following is a summary of the regulations that apply to the Exclusive Economic Zone (EEZ), north of 35° 15.3' north latitude (the latitude of Cape Hatteras Light, North Carolina) and is not a substitute for the actual regulations:*

## PERMITS:

Any vessel that fishes for black sea bass in the EEZ (Federal waters) must have a valid black sea bass permit, except for recreational vessels. There are two types of black sea bass vessel permits:

- C **Charter and Party Permit:** All charter and party vessels must have this black sea bass permit if carrying passengers for hire.
- C **Moratorium Permit:** Vessels must have a black sea bass moratorium permit to retain any amount of black sea bass for sale.

Vessel owners do not need a black sea bass moratorium permit if no sale of black sea bass occurs and the vessel adheres to the established possession limits. A vessel owner with both a black sea bass moratorium permit and charter and party permit may not fish under the terms of both permits at the same time. The operator of any vessel issued one of the above permits must also have a valid vessel operator's permit.

## QUOTA:

An annual (January 1 - December 31) commercial quota is established by the Mid-Atlantic Fishery Management Council. The quota is applied coastwide; all black sea bass landed for sale are applied against the quota regardless of where they are harvested. Up to three percent of the quota may be set aside for research purposes.

The National Marine Fisheries Service (NOAA Fisheries) monitors the harvest of the commercial black sea bass quota and closes the EEZ to commercial black sea bass fishing when data indicate the quota has been harvested. Weekly landings reports are available at: [www.nero.noaa.gov](http://www.nero.noaa.gov).

## MINIMUM FISH SIZES:

For black sea bass moratorium permit holders, the minimum size is **11 inches total length**.

For non-moratorium permit holders, the minimum size is **12 inches total length**.

For charter and party vessels, the minimum size is **12 inches total length**.

Note: The **total length** is the straight-line distance from the tip of the snout to the end of the tail while the fish is lying on its side (Figure 1).

## GEAR RESTRICTIONS:

Otter Trawlers with a black sea bass moratorium permit and that land more than **500 pounds** (January 1 to March 31) **or 100 pounds** (April 1 to December 31) of black sea bass per trip must fish with nets which have a minimum mesh size of **4.5-inch diamond mesh** applied throughout the cod end for at least 75 continuous meshes forward of the end of the net. For codends with less than 75 meshes, the entire net must have a minimum mesh size of 4.5-inch diamond mesh throughout. Vessels which are **not** fishing in compliance with the above mesh requirements, may retain no more than 500 pounds of black sea bass from January 1 to March 31, and no more than 100 pounds from April 1 to December 31. Black sea bass shall be stored so as to be readily available for inspection in a standard 100-pound tote.

## NET MODIFICATIONS:

No fishing vessel shall use any device on the top of the net except one splitting strap and one bull rope of line not more than 3 inches in diameter, and one rope no greater than 0.75 inches in diameter extending the length of the net from the belly to the codend along the top, bottom, and each side of the net.

## MESH OBSTRUCTION OR CONSTRICTION:

A fishing vessel may not use any method to block meshes of the net or cause the mesh size to decrease to a size smaller than the minimum mesh size established above. The bars entering or exiting the knots may not twist around each other.

## ROLLER GEAR:

A fishing vessel shall not use roller rig trawl gear with rollers greater than 18 inches in diameter.

## NET STOWAGE:

Vessels subject to the minimum mesh size requirements above must have any net that does not meet the mesh requirements stowed properly as follows:

- C Net stowed below the main working deck, with towing wires detached, and the net flaked, **or**
- C Net stowed on deck, with towing wires detached, net flaked, and fastened to the deck or rail, **or**
- C Net stowed on reel, covered with canvas, with towing wires detached, and codend removed and stored below deck, **or**
- C Another method authorized in writing by the NOAA Fisheries Regional Administrator (RA).

## POTS AND TRAPS:

Black sea bass pots must have ghost panels (measuring 3.0 by 6.0 inches), degradable hinges, escape vents, and identification, as follows:

### Degradable hinges made with:

- C Untreated hemp, jute, or cotton string of 3/16-inch diameter or smaller, **or**
- C Magnesium alloy, pop-up devices or similar magnesium alloy fasteners, **or**
- C Ungalvanized or uncoated iron or 0.094-inch diameter or smaller.

### Escape vents in lower corner of the parlor:

- C Rectangular vent 1.375 inches by 5.75 inches, **or**
- C Circular vent with 2.375-inch diameter, **or**
- C Square vent with sides of 2 inches, inside measure, **or**
- C 1.375 inches of space between one set of wooden lathes.

Identification:

- C Marked with state registration number, **and/or**
- C Marked with US Coast Guard documentation number.

POSSESSION LIMIT:

Possession of more than 25 black sea bass is **not** allowed on commercial vessels unless the vessel has a black sea bass moratorium permit. Only vessels with a black sea bass moratorium permit are allowed to sell black sea bass. Also, see "Otter Trawlers" under the Gear Restrictions Section.

REPORTING REQUIREMENTS:

The owner or operator of any vessel issued a summer flounder moratorium permit shall maintain on board the vessel and submit an accurate Federal fishing vessel trip report (VTR) for all fishing trips (regardless of species retained). In the future these reports may be submitted electronically if authorized by the RA. Instructions for completing the VTR can be found at:  
<http://www.nero.nmfs.gov/ro/fso/vtr.htm>.

If the owner of a party or charter boat is issued only a black sea bass charter/party permit, and is carrying passengers for hire, then they must complete a VTR for each trip on which they land black sea bass.

Log reports must be received by NOAA Fisheries or postmarked within 15 days after the end of the reporting month. Copies of reports must be retained for 1 year after the date of the last entry on the log. If no fishing activity took place during a fishing month, then a VTR must be submitted stating that no fishing trips were taken.

Any change in the permit information such as vessel name, vessel owner, address, etc., must be submitted in writing to the RA within 15 days of the change, or the permit is void.

Federally permitted dealers shall report weekly via the inter active voice response system (IVR) to report landings of black sea bass. Instructions for this reporting system can be found at:  
<http://www.nero.nmfs.gov/ro/fso/quota.htm>.

Note: NOAA Fisheries is expecting to implement a new Dealer Electronic Reporting system on May 1, 2004. The proposed rule for this reporting requirement was published in the Federal Register on January 21, 2004 (69 FR 2870).

REQUIREMENTS FOR SALE/PURCHASE:

Black sea bass may be sold only to persons possessing a valid black sea bass dealer permit. Black sea bass must be purchased only from vessel owners possessing a valid black sea bass moratorium permit.

PERMIT RENEWAL:

To be eligible for a moratorium permit for black sea bass, a vessel must have been issued a moratorium permit in a previous year, or be replacing a vessel that was issued a moratorium permit for a previous year. No one may apply for an initial black sea bass moratorium permit after August 31, 1998 or the vessel owner retires the vessel from the fishery.

REPLACEMENT VESSELS:

To be eligible for a moratorium permit, the replacement vessel must meet the following criteria:

- C The replacement vessel's horsepower may not exceed by more than 20 percent the horsepower of the vessel that was initially issued a moratorium permit as of January 2, 1998;
- C The replacement vessel's length, gross registered tonnage, and net tonnage may not exceed by more than 10 percent the length, gross registered tonnage, and net tonnage of the vessel that was initially issued a moratorium permit as of January 2, 1998;
- C The vessel's size (length, gross registered tonnage, and net tonnage) may be increased (upgraded) through replacement only once. If any one of these specifications is increased, any increase in the other two must be performed at the same time; and
- The vessel's horsepower may be increased (upgraded) through replacement only once.

Note: Size and horsepower increases can be done independently of one another.

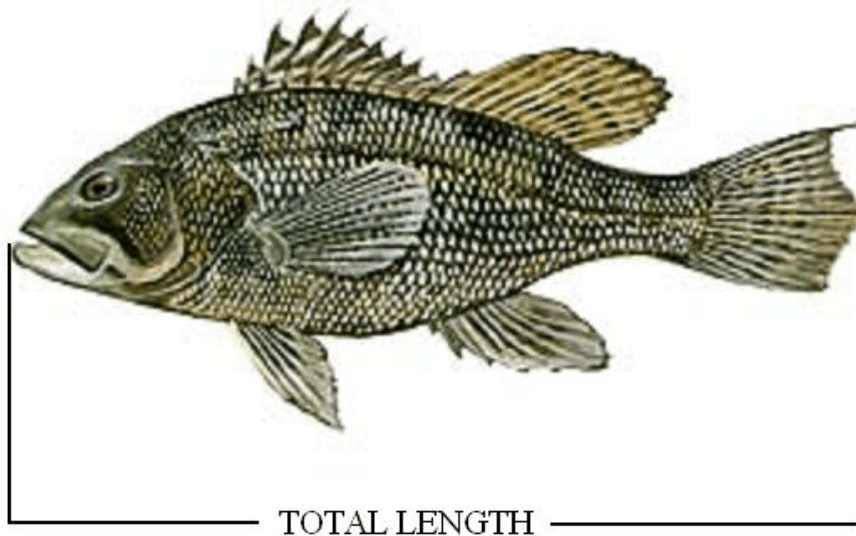


Figure 1. Black sea bass total length.